

mount title to the land in which such mines lie is in the United States; but each case shall be adjudged by the law of possession.

(R.S. §910.)

CODIFICATION

R.S. §910 derived from act Feb. 27, 1865, ch. 64, §9, 13 Stat. 441.

Section was formerly classified to section 690 of Title 28 prior to the general revision and enactment of Title 28, Judiciary and Judicial Procedure, by act June 25, 1948, ch. 646, §1, 62 Stat. 869.

§ 54. Liability for damages to stock raising and homestead entries by mining activities

Notwithstanding the provisions of any Act of Congress to the contrary, any person who on and after June 21, 1949 prospects for, mines, or removes by strip or open pit mining methods, any minerals from any land included in a stock raising or other homestead entry or patent, and who had been liable under such an existing Act only for damages caused thereby to the crops or improvements of the entryman or patentee, shall also be liable for any damage that may be caused to the value of the land for grazing by such prospecting for, mining, or removal of minerals. Nothing in this section shall be considered to impair any vested right in existence on June 21, 1949.

(June 21, 1949, ch. 232, §5, 63 Stat. 215.)

SIMILAR PROVISIONS

Provisions similar to this section were contained in act June 17, 1949, ch. 221, §2, 63 Stat. 201.

CHAPTER 3—LANDS CONTAINING COAL, OIL, GAS, SALTS, ASPHALTIC MATERIALS, SODIUM, SULPHUR, AND BUILDING STONE

SUBCHAPTER I—COAL LAND ENTRIES IN GENERAL

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| Sec. | |
| 71. | Entry of unappropriated or unreserved Federal coal lands; eligibility; application; acreage limitation; price per acre. |
| 72. | Preference right of coal mine entry; acreage limitation. |
| 73. | Presentation of claims. |
| 74. | Number of coal land entries; other entries upon noncompliance with conditions. |
| 75. | Conflicting claims upon coal lands; rules and regulations. |
| 76. | Reservation of rights upon coal lands; sale of certain mining lands. |
| 77. | Alabama coal lands; agricultural entry. |

SUBCHAPTER II—COAL LAND ENTRIES UNDER NONMINERAL LAND LAWS WITH RESERVATION OF COAL TO UNITED STATES

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| 81. | Rights of entrymen of lands subsequently classified as coal lands; disposal of coal deposits. |
| 82. | New or supplemental patents, in case of lands subsequently classified as noncoal. |
| 83. | Homestead or desert-land and other entries. |
| 84. | Applications for entry. |
| 85. | Patents for lands, with reservation of coal; disposal of coal deposits. |
| 86. | Disposition of lands in Indian reservations with reservation of coal; examination and appraisal of lands. |
| 87. | Statements in application; patents. |
| 88. | Disposition of coal by United States. |
| 89. | Disposition of proceeds. |

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| Sec. | |
| 90. | Selection of coal lands by States; sale in isolated or disconnected tracts. |

SUBCHAPTER III—PETROLEUM, OTHER MINERAL OIL, OR GAS LAND ENTRIES UNDER MINING LAWS

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| 101. | Omitted. |
| 102. | Assessment work on contiguous oil lands, located as claims, of same owner. |
| 103. | Patents for oil or gas lands not denied because of transfer before discovery of oil or gas; acreage limitation; nonapplication to withdraw lands. |
| 104. | Agreements with applicants for patents as to disposition of oil or gas, or proceeds thereof, pending determination of title; Navy Petroleum Fund. |

SUBCHAPTER IV—HOMESTEAD ENTRY OF LANDS IN UTAH, WITHDRAWN OR CLASSIFIED AS OIL LANDS

111 to 113. Repealed.

SUBCHAPTER V—AGRICULTURAL ENTRY OF LANDS WITHDRAWN OR CLASSIFIED AS CONTAINING PHOSPHATE, NITRATE, POTASH, OIL, GAS, ASPHALTIC MINERALS, SODIUM, OR SULPHUR

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| 121. | Agricultural entry or purchase of lands withdrawn or classified as containing phosphate, nitrate, potash, oil, or gas; reservations to United States; application. |
| 122. | Patents; reservation in the United States of reserved deposits; acquisition of right to remove deposits; application for entry to disprove classification. |
| 123. | Persons locating lands subsequently withdrawn or classified; patents to. |
| 124. | Agricultural entry or purchase of lands withdrawn or classified as containing sodium or sulphur. |
| 125. | Patents in North Platte Reclamation Project; mineral rights; subrogation. |

SUBCHAPTER VI—LOCATION OF PHOSPHATE ROCK LANDS UNDER PLACER-MINING LAWS

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| 131. | Omitted. |
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SUBCHAPTER VII—PERMITS TO PROSPECT FOR CHLORIDES, SULPHATES, CARBONATES, BORATES, SILICATES, OR NITRATES OF POTASSIUM

141 to 152. Repealed.

SUBCHAPTER VIII—BUILDING STONE OR SALINE LAND ENTRIES UNDER PLACER-MINING LAWS

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| 161. | Entry of building-stone lands; previous law unaffected. |
| 162. | Entry of saline lands; limitation. |

SUBCHAPTER IX—DISPOSAL OF ALABAMA LANDS AS AGRICULTURAL LANDS

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| 171. | Disposal as agricultural lands. |
| 172. | Certain Alabama lands subject to homestead entry. |

SUBCHAPTER I—COAL LAND ENTRIES IN GENERAL

§ 71. Entry of unappropriated or unreserved Federal coal lands; eligibility; application; acreage limitation; price per acre

Every person above the age of twenty-one years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register